

REMARKS

SUMMARY OF TELEPHONIC INTERVIEW

Under 37 CFR 1.133(b)

The Applicants gratefully acknowledge the telephonic interview initiated by Examiner Mohsen Ahmadi to the Applicants' attorney, Mikio Ishimaru, on March 6, 2007. During the interview, the status of the case, the current status of the technology regarding claim amendments related to specific dimensions, and possible amendments based on various processing steps were discussed. The possibility of an amendment related to reactive ion etching was discussed as well as the cancellation of claims 33-35.

Applicants' attorney requested time to study the case and respond. After reviewing the case, Applicants' attorney called the Examiner back and agreed to the present amendment to be filed as a Supplemental response with Amendment after final.

***Claim Rejections - 35 USC §103***

Claims 1-30 and 33-35 are rejected under 35 U.S.C. §103(a) as being unpatentable over Burke et al. (U.S. Appl. Pub. No. 2005/0186782, hereinafter "Burke") in view of Weidman et al. (U.S. Appl. Pub. No. 2003/0176058, hereinafter "Weidman") and further in view of Wang et al. (U.S. Appl. Pub. No. 2005/0110152, hereinafter "Wang").

Applicants appreciate the Examiner's discussion regarding the case and recommendations regarding amendments to the claims. The above amendments have been made in accordance with the Examiner's recommendations to overcome the cited art.

Independent claims 1, 9, and 20 have been amended to clarify the etching process to specify  $\text{CF}_4$  /  $\text{N}_2$  /  $\text{O}_2$  based reactive ion etching to form via openings extending through the intermetal dielectric layer and one of the hard mask layers. The support for the amendment is respectively in claims 7, 15, and 26.

Based on the above, it is respectfully submitted that independent claims 1, 9, and 20, and the claims depending therefrom, are allowable under 35 U.S.C. §103(a) as being patentable over Burke in view of Weidman and further in view of Wang

*Conclusion*

In view of the above, it is submitted that the claims are in condition for allowance and reconsideration of the rejections is respectfully requested. Allowance of claims 1-30 at an early date is solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including any extension of time fees, to Deposit Account No. 50-0374 and please credit any excess fees to such deposit account.


Respectfully submitted,



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I hereby certify that this document is being transmitted to the U.S. Patent and Trademark Office via electronic filing Pacific Standard Time (PST) on March 6, 2007.

  
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